

## Remarks

Claims 1-6, 8-12 and 14-22 were pending.

Claims 1 and 2 are amended.

Claim 18 is original.

Claims 3, 6 8-12, 14-17, 21 and 22 are as previously presented.

Claims 4, 5, 19 and 20 are cancelled.

Claim 23 is new.

The application now contains claims 1-3, 6, 8-12, 14-18 and 21-23.

Claim 1 is amended to incorporate the limitations of claim 5. Claims 4, 5, 19 and 20 are deleted as they would now be outside the limitations of claim 1 or redundant. Claim 2 is amended to delete C.I. Solvent Red 49 from line 2. Support is inherent in the claims.

Support for new claim 23 is found in originally filed claim 9.

No new matter is added.

## Rejections

The instant claims are rejected under 35 USC 102(e) as anticipated by Ryter US 2007/0041479, which except for the title, figures and data, is word for word identical to the instant application. This appears to be due to some confusion at the USPTO. The USPTO obviously confused the instant application serial no 10/577975 with Ryter's, serial no 10/577978, and published word for word the instant application's abstract, disclosure and claims together with the data, title and figures of Ryter as US 2007/0041479A1. This is evident from the PCT application of which Ryter's application is a child (WO 2005/043852).

Applicants therefore submit that the instant invention is not by Ryter, hence not by another, and kindly ask the Examiner to withdraw the rejections over the mistakenly incorrectly published Ryter US 2007/0041479.

Claims 1, 2, 8, 11, 12, 14 and 15 are rejected under 35 USC 102(b) as anticipated by Mehta et al. US 5,994,881.

Applicants respectfully traverse the rejections.

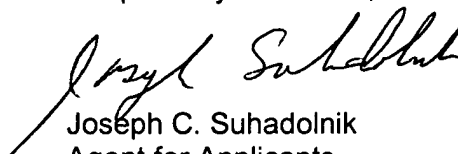
Mehta '881 discloses a security ink for letterpress printing processes, which are subsequently heat fast in laser printers and comprise a pigment, a fluorescent pigment, a colored dye and a liquid carrier dissolving the colored dye. The only quantities disclosed for these components are found in column 2, lines 1-7 and 17-24, wherein there is ~1-10% of a pigment, ~1-45% of a fluorescent pigment, ~3-8% of a colored dye, ~5-40% of an aliphatic long chain oil, ~30-40% of an unsaturated fatty acid and ~4-10% of a thickener. The only colored pigment disclosed in '881 is a black pigment and the only colored dye disclosed in '881 is a red dye base such as Neptun<sup>®</sup> Red Base 486, which is a rhodamine magenta dye (see US-5,707,769 / col. 18 / line 40).

Mehta does not disclose the instant pigment/solvent dye ratio of from 95/5 to 65/35 of the instantly amended claims. Applicants note that claim 5 was not rejected over Mehta '881 in the instant Action. The limitations of claim 5 are incorporated into claim 1 and all dependent claims by the instant amendments. As Mehta does not disclose the instant pigment/solvent dye ratio of from 95/5 to 65/35 of the instantly amended claims Applicants respectfully submit that there is no anticipation and kindly ask that the 35 USC 102(b) rejections over Mehta '881 be withdrawn.

Applicants respectfully submit that all rejections have been addressed and are overcome and kindly ask that they be withdrawn and that claims 1-3, 6, 8-12, 14-18 and 21-23 be found allowable. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Ciba Specialty Chemicals Corporation  
Patent Department  
540 White Plains Road  
P.O. Box 2005  
Tarrytown, NY 10591-9005  
Tel. (914) 785-2973  
Fax (914) 785-7102

Respectfully submitted,



Joseph C. Suhadolnik  
Agent for Applicants  
Reg. No. 56,880  
filed under 37 CFR 1.34(a)